

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PHOENIX LICENSING, L.L.C. and LPL
LICENSING, L.L.C.

Plaintiffs,

v.

AMERICAN EXPRESS COMPANY;
AMERICAN EXPRESS CENTURION BANK;
AMEX ASSURANCE COMPANY; AMERICAN
EXPRESS INCENTIVE SERVICES, LLC;
AMERICAN EXPRESS BANK, FSB;
AMERICAN EXPRESS TRAVEL RELATED
SERVICES, INC.; and AMERICAN EXPRESS
MARKETING & DEVELOPMENT CORP.

Defendants.

Case No. 2:14-cv-636

JURY TRIAL DEMANDED

DEFENDANTS' UNOPPOSED MOTION TO FILE UNDER SEAL

Defendants American Express Centurion Bank, AMEX Assurance Company, American Express Bank, FSB, and American Express Travel Related Services Company, Inc. ("Defendants") submit this Unopposed Motion to the Court seeking to file Defendants' Motion to Dismiss American Express Travel Related Services, Inc. and American Express Travel Related Services Company, Inc. Pursuant to Fed. R. Civ. P. 12(b)(4) & (5) and attached Declaration under seal. In support, Defendants show the Court as follows:

1. A Protective Order has not yet been entered in this action.
2. One of the subject exhibits to Defendants' Motion to Dismiss is a confidential agreement between Plaintiffs Phoenix Licensing, L.L.C. and LPL Licensing, L.L.C. and Defendants, attached as Ex. A to the Doll Declaration.
3. As set forth in the caption, this motion is unopposed.

Wherefore, Defendants seek the entry of an Order submitted concurrently herewith, permitting the filing of foregoing documents under seal.

Dated: October 13, 2014

Respectfully submitted,

/s/ Mark. C. Nelson

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on October 13, 2014.

/s/ Mark C. Nelson

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CERTIFICATE OF CONFERENCE

This is to certify that on October 13, 2014, counsel for the Defendants (Mark Nelson) conferred by telephone with counsel for the Plaintiffs (Benjamin Wang) regarding the subject matter of this motion and that Plaintiffs are unopposed to this motion. Mark Nelson represents all defendants.

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